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ARIZONA CORPORATION COMMISSION

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BEFORE THE ARIZONA CORPORATION COMMISSION

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2000 DEC -7 P 1:04

CHAIRMAN 7 2000

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COMMISSIONER

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WILLIAM A. MUNDELL

COMMISSIONER

IN THE MATTER OF THE APPLICATION
OF U S WEST COMMUNICATIONS, INC.
A COLORADO CORPORATION, FOR A
HEARING TO DETERMINE THE EARNINGS
OF THE COMPANY, THE FAIR VALUE OF
THE COMPANY FOR RATEMAKING
PURPOSES, TO FIX A JUST AND
REASONABLE RATE OF RETURN
THEREON AND TO APPROVE RATE
SCHEDULES DESIGNED TO DEVELOP
SUCH RETURN.

DOCKET NO. T-01051B-99-0105

STAFF'S RESPONSE TO MOTION
FOR PROCEDURAL ORDER

On December 5, 2000, Qwest Corporation ("Qwest") submitted its Motion seeking a revised deadline of December 12, 2000 for the parties to file closing briefs in this matter. Qwest's Motion also contemplates the issuance of a Proposed Order by December 18, 2000, Exceptions filed by December 28, 2000 and consideration by the Commission at an Open Meeting to be scheduled on December 29, 2000. After careful consideration, Staff hereby submits this response to Qwest's Motion.

At the conclusion of the hearing in this matter, Staff indicated that we found a briefing schedule which provided a single brief, to be filed within seven days following the close of hearing, to be an acceptable briefing schedule. Staff continues to believe that such an expedited briefing schedule would be reasonable in this matter. The issues to be briefed in connection with the Proposed Settlement are relatively narrow and clearly drawn in the record. In addition, as was indicated at the close of the record, Staff is willing to work with Qwest to submit clarifying language on certain aspects of the Proposed Settlement, which should resolve some of the Parties' concern regarding some issues presented at the hearing.

In addition, Staff continues to believe that ten (10) days provides an adequate period of time within which to require Parties to prepare and file their Exceptions to the Administrative Law

1 Judge's Recommended Opinion and Order ("Proposed Order"). Staff sees no reason to anticipate
2 that the Proposed Order will be of such length or complexity as to require additional time for
3 Exceptions.

4 Staff believes that the length of time necessary for the Administrative Law Judge to
5 prepare her Proposed Order, as well as the Commission's preparation time and availability for an
6 Open Meeting, are matters which should rest with the discretion of the Administrative Law Judge
7 and the Commissioners, respectively. Staff, therefore, offers no opinion as to the suggested dates
8 for submittal of a Proposed Order and Open Meeting. Staff stands ready to respond to the Proposed
9 Order within ten days of its submittal and is prepared to attend an Open Meeting as scheduled by the
10 Commission, whether that be as proposed by Qwest, or some other time periods established by the
11 Administrative Law Judge or the Commission.

12 Staff notes that Qwest's Motion reflects a generally accurate description of the
13 procedural history of this case, which has been pending before the Commission since early January,
14 1999. Staff also agrees with Qwest that, if the matter is not decided by the current Commission
15 before December 31, 2000, the change in makeup of the Commission will necessitate a delay in the
16 final resolution of this matter. An incoming Commissioner should be permitted a reasonable time
17 to familiarize himself with the record and the issues presented by this proposed Settlement before
18 being asked to decide a matter of the magnitude of this case. Staff offers no opinion as to the length
19 of time that might be necessary. We believe that is also a matter which is best left to the discretion
20 of the Commission. We have previously indicated that we believe that the approval of this proposed
21 Settlement depends on the Commission finding that it represents a fair compromise based on the

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1 entire record in the underlying rate case. Accordingly, we would hope that the Commission will take
2 the time necessary to consider the entire record and ultimately conclude that the Settlement is in the
3 public interest.

4 RESPECTFULLY SUBMITTED this 7th day of December, 2000

5
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13 The Original and fifteen copies of the
14 foregoing were filed this 7th day of December,
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